

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: :
: :
KAISER ALUMINUM CORP., et al. : Bankruptcy Case 02-10429 (JKF)
: :
Debtors. : :

IN RE: :
: :
KAISER ALUMINUM CORP., et al. : Misc. Case No. 06-041 JJF
: :
Debtors. : :

TIG INSURANCE COMPANY, :
: :
Appellants, :
: :
v. : C.A. No. 06-171 JJF
: :
KAISER ALUMINUM CORP, et al., :
KAISER ALUMINUM & CHEMICAL :
CORPORATION, REORGANIZING :
DEBTORS, OFFICIAL COMMITTEE OF :
UNSECURED CREDITORS, OFFICIAL :
COMMITTEE OF ASBESTOS :
CLAIMANTS, RETIREES' :
COMMITTEE, MARTIN J. MURPHY, :
and ANNE M. FERAZZI, :
: :
Appellees. : :

COLUMBIA CASUALTY INSURANCE :
COMPANY, TRANSCONTINENTAL :
INSURANCE COMPANY, HARBOR :
INSURANCE COMPANY and :
CONTINENTAL INSURANCE CO., :
: :
Appellants, :
: :
v. : C.A. No. 06-172 JJF
: :
KAISER ALUMINUM CORP, et al., :
KAISER ALUMINUM & CHEMICAL :
CORPORATION, REORGANIZING :
DEBTORS, OFFICIAL COMMITTEE OF :
UNSECURED CREDITORS, OFFICIAL :
COMMITTEE OF ASBESTOS :
CLAIMANTS, RETIREES' :

COMMITTEE, MARTIN J. MURPHY, :
and ANNE M. FERAZZI, :
: Appellees. :

REPUBLIC INDEMNITY COMPANY, :
: Appellant, :
:

v. :

C.A. No. 06-173 JJF

KAISER ALUMINUM CORP., et al., :
KAISER ALUMINUM & CHEMICAL :
CORPORATION, OFFICIAL :
COMMITTEE OF UNSECURED :
CREDITORS, OFFICIAL :
COMMITTEE OF ASBESTOS :
CLAIMANTS, MARTIN J. MURPHY, :
FUTURE SILICA CLAIMANTS :
REPRESENTATIVE and OFFICIAL :
COMMITTEE OF RETIRED :
EMPLOYEES, :
: Appellees. :

ACE PROPERTY & CASUALTY CO., :
CENTRAL NATIONAL INS. CO. OF :
OMAHA, CENTURY INDEMNITY CO., :
INDUSTRIAL INDEMNITY CO., :
INDUSTRIAL UNDERWRITERS INS. :
CO. and PACIFIC EMPLOYERS :
INSURANCE COMPANY, :
: Appellants, :
:

v. :

C.A. No. 06-174 JJF

KAISER ALUMINUM CORP., et al., :
KAISER ALUMINUM & CHEMICAL :
CORP., OFFICIAL COMMITTEE OF :
UNSECURED CREDITORS, OFFICIAL :
COMMITTEE OF ASBESTOS :
CLAIMANTS, MARTIN J. MURPHY, :
ANNE M. FERAZZI and OFFICIAL :
COMMITTEE OF RETIRED :
EMPLOYEES, :
: Appellees. :

TRANSPORT INSURANCE CO.,	:	
	:	
Appellant,	:	
	:	
v.	:	C.A. No. 06-175 JJF
	:	
KAISER ALUMINUM CORP., et al.,	:	
KAISER ALUMINUM & CHEMICAL	:	
CORP., OFFICIAL COMMITTEE OF	:	
UNSECURED CREDITORS, OFFICIAL	:	
COMMITTEE OF ASBESTOS	:	
CLAIMANTS, MARTIN J. MURPHY,	:	
ANNE M. FERAZZI and OFFICIAL	:	
COMMITTEE OF RETIRED	:	
EMPLOYEES,	:	
	:	
Appellees.	:	

DUNCAN J. McNEIL, III,	:	
	:	
Appellant,	:	
	:	
v.	:	C.A. No. 06-178 JJF
	:	
KAISER ALUMINUM CORP., et al.,	:	
	:	
Appellees.	:	

FIRST STATE INSURANCE CO.,	:	
HARTFORD ACCIDENT & INDEMNITY	:	
CO., NEW ENGLAND REINSURANCE	:	
CORP. and NUTMEG INS. CO.,	:	
	:	
Appellants,	:	
	:	
v.	:	C.A. No. 06-179 JJF
	:	
KAISER ALUMINUM CORP., et al.,	:	
KAISER ALUMINUM & CHEMICAL	:	
CORPORATION, OFFICIAL	:	
COMMITTEE OF UNSECURED	:	
CREDITORS, OFFICIAL	:	
COMMITTEE OF ASBESTOS	:	
CLAIMANTS, MARTIN J. MURPHY,	:	
FUTURE SILICA CLAIMANTS	:	
REPRESENTATIVE and OFFICIAL	:	
COMMITTEE OF RETIRED	:	
EMPLOYEES,	:	
	:	
Appellees.	:	

AIU INSURANCE CO., GRANITE	:	
STATE INSURANCE CO., INSURANCE:	:	
COMPANY OF THE STATE OF	:	
PENNSYLVANIA, LANDMARK INS.	:	
COMPANY, LEXINGTON INS. CO.,	:	
NATIONAL UNION FIRE INS. CO.	:	
and NEW HAMPSHIRE INS. CO.,	:	
	:	
Appellants,	:	
	:	
v.	:	C.A. No. 06-182 JJF
KAISER ALUMINUM CORP., et al.,	:	
KAISER ALUMINUM & CHEMICAL	:	
CORPORATION, OFFICIAL	:	
COMMITTEE OF UNSECURED	:	
CREDITORS, OFFICIAL	:	
COMMITTEE OF ASBESTOS	:	
CLAIMANTS, MARTIN J. MURPHY,	:	
FUTURE SILICA CLAIMANTS	:	
REPRESENTATIVE and OFFICIAL	:	
COMMITTEE OF RETIRED	:	
EMPLOYEES,	:	
	:	
Appellees.	:	

MEMORANDUM ORDER

Pending before the Court is a Joint Motion For Consolidation of Appeals, For Waiver of Mediation Requirement and for an Expedited Hearing on Confirmation Findings and Confirmation Order filed by Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation, Official Committee of Unsecured Creditors, Committee of Asbestos Claimants, Official Committee of Retired Employees, and Martin J. Murphy (collectively "Appellees").¹ Appellants Answering Brief to the motion is due

¹ The Joint Motion of Debtors and Debtors in Possession and Their Principal Creditor Constituencies For Consolidation of

to be filed by March 31, 2006; however, certain insurers have filed a Joint Response to the Appellees motion. The Court will address the request for consolidation on an expedited basis to assist in the management of the above-captioned cases and to avoid unnecessary costs or delay.

On February 6, 2006, the Bankruptcy Court issued its Findings of Fact and Conclusions of Law Regarding Confirmation Of The Second Amended Joint Plan Of Reorganization Of Kaiser Aluminum Corporation, Kaiser Aluminum & Chemical Corporation And Certain OF Their Debtor Affiliates, As Modified ("Findings"). Because section 524(g)(3)(A) of the Bankruptcy Code requires that the order confirming the plan of reorganization be issued or affirmed by the district court that has jurisdiction over the reorganization case, the Bankruptcy Court transmitted the Findings to the United States District Court for the District Of Delaware. The Findings were docketed in Miscellaneous Case No. 06-041.

All of the above-captioned appeals are arising out of an Order Confirming the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, et al. and the

Appeals, For Waiver of Mediation Requirement and For an Expedited hearing on Confirmation Findings and Confirmation Order was filed in Miscellaneous Case No. 06-41 as D.I. 5 and also filed in the respective appeals as follows: CA No. 06-171, D.I. 5; CA No. 06-172, D.I. 9; 06-173, D.I. 6; 06-174, D.I. 6; 06-175, D.I. 6; 06-178, D.I. 3; 06-179, D.I. 7; 06-182, D.I. 5.

accompanying Findings of Fact And Conclusions Of Law Regarding Confirmation Of the Second Amended Joint Plan of Reorganization of Kaiser Aluminum Corporation, et al., entered by the Bankruptcy Court on February 6, 2006. Certain insurers, in their joint response, state that they agree all issues raised by the appeals and Rule 9033 requests can be resolved in a consolidated proceeding (Misc. Case No. 06-041, D.I. 7, p. 10). The Court finds that the appeals involve a common question of law or fact, accordingly, the Court will grant the request for consolidation.

NOW THEREFORE, IT IS HEREBY ORDERED that:

1) The Joint Motion of Debtors and Debtors in Possession and Their Principal Creditor Constituencies For Consolidation of Appeals is GRANTED.

2) All of the above-captioned appeals shall be consolidated into Miscellaneous Case No. 06-041. All filings in those actions, after the date of this Order, shall use the caption below:

IN RE:	:	
	:	
KAISER ALUMINUM CORP., et al.	:	Bankruptcy Case 02-10429 (JKF)
	:	
Debtors.	:	

IN RE:	:	
	:	
KAISER ALUMINUM CORP., et al.	:	Misc. Case No. 06-041 JJF
	:	
Debtors.	:	

3) The Court will consider and decide the matters of waiver of mediation requirement and expedited hearing by separate Order.

March 29, 2006
DATE

Joseph D. Korman J.
UNITED STATES DISTRICT JUDGE